

CHAPTER 26

STOCKBRIDGE-MUNSEE TRIBAL LAW PUBLIC HEALTH AND SAFETY ORDINANCE

WHEREAS, The Stockbridge-Munsee Community of Wisconsin and the State of Wisconsin have entered into a Gaming Compact under the Indian Gaming Regulatory Act, P.L. 100-497, 25 U.S.C. sec. 2701, et seq. which provides in part that the Tribe will enact an Ordinance setting forth public health and safety standards for any facility utilized for Class III Gaming as set forth in Chapter 101 of the Wisconsin Statutes and the Wisconsin Administrative Code adopted thereunder including Chapters ILHR 14 (Fire Prevention), 16 (Electrical Wiring), 28 (Smoke Detectors), 160 (Existing Buildings), 162 (Theatres and Assembly Halls), and 81-86 (Plumbing);

WHEREAS, The Stockbridge-Munsee Community is committed to assuring the health and safety of the general public and as well as its Tribal members;

WHEREAS, The Tribal Council of the Stockbridge-Munsee Community has the authority to adopt ordinances providing for the health and safety of the general public and Tribal Members within the exterior boundaries of the Stockbridge Munsee Reservation and other lands within the jurisdiction of the Community by virtue of the provisions of Article VII sections 11(a), (e) and (h) of the Constitution of the Stockbridge-Munsee Community of Wisconsin, adopted October 30, 1937;

NOW THEREFORE BE IT RESOLVED that the Tribal Council of the Stockbridge-Munsee Community of Wisconsin does hereby ordain that the public health and safety provisions of Chapter 101 of the Wisconsin Statutes and the Wisconsin Administrative Code adopted thereunder including Chapters ILHR 14 (Fire Prevention), 16 (Electrical Wiring), 28 (Smoke Detectors), 160 (Existing Buildings), 162 (Theatres and Assembly Halls), and 81-86 (Plumbing) are hereby adopted as if set forth in full herein as the Public Health and Safety Ordinance of the Stockbridge-Munsee Community effective the date of the aforementioned Compact with the State of Wisconsin, except that the Tribe's existing and presently under construction gaming facility shall be exempt for a period of one year from the date of said Compact.

The Tribe shall engage a state certified inspector to conduct periodic inspections of all facilities used for Class III Gaming, but not less than annually, and shall promptly repair or correct any and all instances of non-compliance with the provisions of this Ordinance. Inspection reports prepared in conjunction with the aforementioned inspections shall be forwarded to the Lottery Board.

LEGISLATIVE HISTORY

Approved by Tribal Council May 22, 1992; Resolution No. 1316. This ordinance was necessary to meet federal and state regulations for Class III gaming.

Recommended for approval by BIA in letter dated July 16, 1992 from Ashland office to Minneapolis Area Office.